

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

NEIL GAIMAN, and
MARVELS AND MIRACLES, LLC,

Plaintiffs,

v.

Case No.: 02-CV-00048-bbc

TODD MCFARLANE,
TODD MCFARLANE PRODUCTIONS, INC.,
TMP INTERNATIONAL, INC.,
MCFARLANE WORLDWIDE, INC., and
IMAGE COMICS, INC.,

Defendants.

PLAINTIFF'S AUGUST REPORT TO COURT

Pursuant to the Court's March 12, 2010 Opinion and Order, plaintiff Neil Gaiman files this report regarding the status of the accounting of profits ("Accounting") due Gaiman from defendants Todd McFarlane and Todd McFarlane Productions, Inc. ("TMP") (collectively the "McFarlane Defendants").

The McFarlane Defendants have now produced or made available for inspection all financial documents that they believe are relevant to the accounting. Gaiman's counsel is currently in the process of reviewing those documents to determine whether they believe any additional information should be produced. Gaiman's counsel is currently making arrangements to inspect certain voluminous McFarlane Defendant financial documents that are being made available for inspection in Arizona and Chicago. Counsel for the parties met and conferred several times by telephone in August to discuss various issues.

The parties have a conference call scheduled with the accountant on September 8, 2010 to discuss a proposed schedule for the parties to make their submissions to the accountant and for the accountant to complete his work.

Dated this 31st day of August, 2010.

s/Jeffrey A. Simmons

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